

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

DR. ELVISHA DHAMALA, DR. SHELLEY  
FACENTE, DR. ROBERT MAHON, and DR.  
LUCINA UDDIN,

Plaintiffs,

-against-

ELSEVIER, B.V., INFORMA PLC,  
INTERNATIONAL ASSOCIATION OF  
SCIENTIFIC, TECHNICAL, AND MEDICAL  
PUBLISHERS, JOHN WILEY & SONS, INC.,  
SAGE PUBLICATIONS, INC., SPRINGER  
NATURE AG & CO. KGaA, TAYLOR &  
FRANCIS GROUP, LLC, TAYLOR & FRANCIS  
GROUP, LTD., WOLTERS KLUWER HEALTH,  
INC., WOLTERS KLUWER N.V., and JOHN  
DOES 1 THROUGH 50,

Defendants.

Case No. 1:24-cv-06409-HG

**JOINT STIPULATION AND  
ORDER SETTING THE PRE-MOTION  
LETTER SCHEDULE FOR  
DEFENDANTS' MOTION TO DISMISS  
THE AMENDED COMPLAINT**

Dr. Elvisha Dhamala, Dr. Shelley Facente, Dr. Robert Mahon, and Dr. Lucina Uddin (collectively, the “Plaintiffs”) and (1) Elsevier B.V.; (2) John Wiley & Sons, Inc.; (3) Sage Publications, Inc.; (4) Springer Nature AG & Co. KGaA; (5) Taylor & Francis Group, LLC; (6) Taylor & Francis Group, Ltd.; (7) Informa plc; (8) Wolters Kluwer Health, Inc.; (9) Wolters Kluwer N.V.; and (10) International Association of Scientific, Technical, and Medical Publishers (collectively, the “Defendants”), through counsel stipulate to the following, subject to the Court’s approval:

1. WHEREAS, Plaintiff Dr. Lucina Uddin filed the original Complaint on September 12, 2024 (Dkt. No. 1);

2. WHEREAS, Plaintiff Dr. Lucina Uddin and Defendants previously stipulated Defendants would answer or otherwise respond to the original Complaint no later than 100 days after the Court entered the parties' stipulation and proposed order (Dkt. No. 21-1);

3. WHEREAS, the Court entered the parties' stipulation on October 6, 2024 (Dkt. No. 33);

4. WHEREAS, Defendants' deadline to answer or otherwise respond to the original Complaint was January 14, 2025;

5. WHEREAS, on October 30, 2024, the Court entered a deadline of January 3, 2025 for the parties to exchange Rule 26 initial disclosures;

6. WHEREAS, on November 15, 2024, Plaintiffs filed their Amended Complaint (Dkt. No. 63);

7. WHEREAS, the parties propose, subject to Court approval, Defendants file their pre-motion letter to dismiss Plaintiffs' Amended Complaint, in accordance with Judge Gonzalez's Individual Practices, on February 18, 2025;

8. WHEREAS, the parties propose, subject to Court approval, Plaintiffs file their opposition letter to Defendants' pre-motion letter to dismiss Plaintiffs' Amended Complaint, in accordance with Judge Gonzalez's Individual Practices, on March 4, 2025;

9. WHEREAS, the parties propose, subject to Court approval, the parties exchange Rule 26 initial disclosures on February 7, 2025;

10. NOW THEREFORE, the parties, through their respective counsel and subject to the Court's approval, hereby stipulate that:

a. The parties will exchange Rule 26 initial disclosures on February 7, 2025;

b. Defendants will file their pre-motion letter to dismiss Plaintiffs' Amended Complaint, in accordance with Judge Gonzalez's Individual Practices, on February 18, 2025; and

c. Plaintiffs will file their opposition letter to Defendants' pre-motion letter to dismiss Plaintiffs' Amended Complaint, in accordance with Judge Gonzalez's Individual Practices, on March 4, 2025.

**IT IS SO STIPULATED.**

Dated: December 16, 2024

By: /s/ Dean M. Harvey

Dean M. Harvey (admitted *pro hac vice*)  
Jallé H. Dafa (admitted *pro hac vice*)  
Benjamin A. Trouvais (admitted *pro hac vice*)  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
275 Battery Street, 29th Floor  
San Francisco, CA 94111-3339  
Phone: (415) 956-1000  
Fax: (415) 956-1008  
dharvey@lchb.com  
jdafa@lchb.com  
btrouvais@lchb.com

Emily N. Harwell (NY Bar # 5985585)  
LIEFF CABRASER HEIMANN & BERNSTEIN, LLP  
250 Hudson Street, 8th Floor  
New York, NY 10013  
Phone: (212) 355-9500  
Fax: (212) 355-9592  
eharwell@lchb.com

Benjamin Elga (NY Bar # 5332861)  
Janet Herold (admitted *pro hac vice*)  
JUSTICE CATALYST LAW  
40 Rector Street  
New York, NY 10006  
Phone: (518) 732-6703  
belga@justicecatalyst.org  
jherold@justicecatalyst.org

Roberta D. Liebenberg (admitted *pro hac vice*)  
Gerard A. Dever (admitted *pro hac vice*)  
Jeffrey B. Gittleman (*pro hac vice forthcoming*)  
FINE, KAPLAN AND BLACK, R.P.C.  
One South Broad Street, 23rd Floor  
Philadelphia, PA 19107  
Phone: (215) 567-6565  
Fax: (215) 568-5872  
rliebenberg@finekaplan.com  
gdever@finekaplan.com  
jgittleman@finekaplan.com

Eric L. Cramer (admitted *pro hac vice*)  
Michael J. Kane (admitted *pro hac vice*)  
Joseph E. Samuel, Jr. (admitted *pro hac vice*)  
Patrick F. Madden (admitted *pro hac vice*)  
BERGER MONTAGUE PC  
1818 Market Street, Suite 3600  
Philadelphia, PA 19103  
Phone: (215) 875-3009  
ecramer@bm.net  
mkane@bm.net  
jsamuel@bm.net  
pmadden@bm.net

Scott A. Martin (NY Bar # 2387843)  
HAUSFELD LLP  
33 Whitehall Street, 14th Floor  
New York, NY 10004  
Phone: (646) 357-1100  
Fax: (212) 202-4322  
smartin@hausfeld.com

*Counsel for Plaintiffs and the Proposed Class*

Dated: December 16, 2024

CRAVATH, SWAINE & MOORE LLP

s/ David R. Marriott

David R. Marriott  
Sharonmoyee Goswami  
Jesse M. Weiss  
Two Manhattan West  
375 Ninth Avenue  
New York, NY 10001  
(212) 474-1000  
dmarriott@cravath.com  
sgoswami@cravath.com  
jweiss@cravath.com

*Attorneys for Defendant Elsevier B.V.*

ARNOLD & PORTER  
KAYE SCHOLER LLP

s/ C. Scott Lent

C. Scott Lent  
Esther Ha Yoon Sohn  
Leah J. Harrell  
250 West 55th Street  
New York, NY 10019-9710  
Telephone: (212) 836-8000  
Fax: (212) 836-8689  
scott.lent@arnoldporter.com  
esther.sohn@arnoldporter.com  
leah.harrell@arnoldporter.com

Matthew Tabas  
601 Massachusetts Avenue, NW  
Washington, DC 20001-3743  
Telephone: (202) 942-5000  
Fax: (202) 942-5999  
matthew.tabas@arnoldporter.com

*Attorneys for Defendant John Wiley & Sons,  
Inc.*

SIDLEY AUSTIN LLP

/s/ Benjamin R. Nagin

Benjamin R. Nagin  
787 Seventh Avenue  
New York, NY 10019  
(212) 839-5300  
bnagin@sidley.com

Carrie Mahan  
SIDLEY AUSTIN LLP  
1501 K Street, N.W.  
Washington, D.C. 20005  
carrie.mahan@sidley.com  
(202) 736 8809

*Attorneys for Defendants Wolters Kluwer  
N.V.; and Wolters Kluwer Health, Inc.*

WEIL, GOTSHAL & MANGES LLP

/s/ Adam C. Hemlock

Adam C. Hemlock  
Benjamin E. Marks  
Rebecca R. Jacobson  
767 Fifth Avenue  
New York, NY 10153  
Telephone: (212) 310-8000  
Fax: (212) 310-8007  
adam.hemlock@weil.com  
benjamin.marks@weil.com  
rebecca.jacobson@weil.com

*Attorneys for Defendant International  
Association of Scientific, Technical, and  
Medical Publishers*

VENABLE LLP

/s/ Danielle R. Foley

Danielle R. Foley  
Lisa Jose Fales  
Andrew T. Hernacki  
600 Massachusetts Avenue, NW  
Washington D.C. 20001  
Telephone: (202) 344-4000  
drfoley@venable.com  
ljfales@venable.com  
athernacki@venable.com

*Attorneys for Defendant Sage  
Publications, Inc.*

CLEARY GOTTlieb STEEN &  
HAMILTON LLP

/s/ C. Lawrence Malm

D. Bruce Hoffman  
Kenneth Reinker  
C. Lawrence Malm  
2112 Pennsylvania Avenue, N.W.  
Washington, D.C. 20037-3229  
T: 202-974-1500  
F: 202-974-1999  
bhoffman@cgsh.com  
kreinker@cgsh.com  
lmalm@cgsh.com

*Attorneys for Defendant Springer  
Nature AG & Co. KGaA*

WHITE & CASE LLP

/s/ Robert A. Milne

Robert A. Milne  
Jack E. Pace III  
Bryan Gant  
Daniel Grossbaum  
1221 Avenue of the Americas  
New York, NY 10020  
tel.: (212) 819-8200  
fax: (212) 354-8113  
rmilne@whitecase.com  
jpace@whitecase.com  
bgant@whitecase.com  
dan.grossbaum@whitecase.com

Heather M. Burke  
3000 El Camino Real  
2 Palo Alto Square, Suite 900  
Palo Alto, CA 94306-2109  
tel.: (650) 213-0300  
fax: (650) 213-8158  
hburke@whitecase.com

*Attorneys for Defendants Taylor &  
Francis Group, Ltd.; Taylor & Francis  
Group, LLC; and Informa plc*

Pursuant to Stipulation, **IT IS SO ORDERED.**

Dated: December 16, 2024

/s/ Hector Gonzalez \_\_\_\_\_  
Hector Gonzalez  
United States District Judge